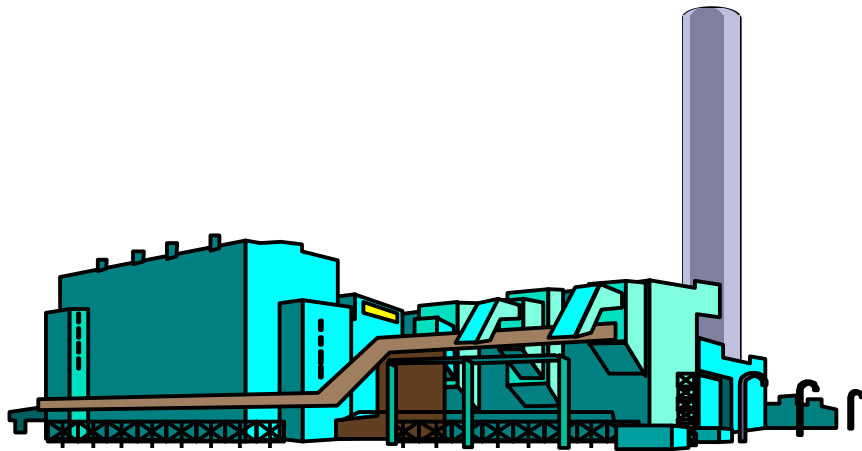


# **CHEMICAL WEAPONS CONVENTION *THE IMPACT***



**DEFENSE TREATY  
INSPECTION READINESS  
PROGRAM**

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## INTRODUCTION

**Y**our facility may be subject to a Chemical Weapons Convention (CWC) inspection. When the CWC enters into force, both government and industrial sites will be subject to routine and challenge inspections. Hundreds of facilities in the U.S. may be subject to “routine” inspections, and thousands more may be subject to “challenge” inspections on very short notice.

These inspections, and other CWC requirements, could affect your facility in several ways. You should understand the CWC inspection process, identify and assess your facility’s vulnerabilities, and be prepared to protect those vulnerabilities. The U.S. Government, through its Defense Treaty Inspection Readiness Program (DTIRP), is available to help in each of these areas. This pamphlet provides an introduction to the CWC inspection process and basic inspection planning and preparation measures.



## FACILITY INSPECTIONS

### *About The CWC*

The CWC is a treaty that bans the research, development, production, stockpiling and use of chemical weapons (CW). To verify compliance with the Treaty, the CWC allows on-site inspections of facilities that are associated with banned and limited chemicals, as well as “other chemical production facilities” which produce discrete organic chemicals. These facilities are known as “declared” sites, and they are subject to routine inspections. The U.S. is also obligated to accept challenge inspections to demonstrate that proscribed activities are not taking place. Challenge inspections may be conducted at any government or privately-owned facility, declared or undeclared, that is suspected of CWC violations.

All inspections will be conducted by teams of multinational inspectors with diverse technical backgrounds who are employed by the CWC’s implementing body, the Organization for the Prohibition of Chemical Weapons (OPCW). The number of inspectors on each team will vary depending on the site to be inspected. Facilities may have very little advance

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notice — teams may arrive within 48 hours of notification by the U.S. Government. Inspectors may remain on-site for extended periods of time — up to 7 1/2 days (180 hours: 72 for perimeter negotiations, 84 for inspection, 24 for post-inspection activities) during a challenge inspection — but will be accompanied by U.S. government and facility escorts.

For routine inspections of declared facilities, the amount and type of inspector access will be negotiated into a formal agreement called a facility agreement. Each facility agreement will be negotiated, with full facility participation, during an initial inspection. However, the agreement must be formally approved by the U.S. Government and OPCW before routine inspections of that facility may be conducted.

During challenge inspections, there are no facility agreements. Instead, the OPCW will issue formal authorization and instructions, called an inspection mandate, to each inspection team for the conduct of a particular inspection. CWC inspectors will be guided by the inspection mandate, and will be looking for any evidence that might suggest that a facility is producing,

### ***Inspection Team Activities***



storing, diverting, or exporting proscribed or limited CW agents, equipment or munitions.

Inspectors may request the right to take wipes and air, soil and effluent samples. However, the amount and type of access will be negotiated between the inspectors and the U.S. government representatives using managed access rules in the CWC. Facility representatives will have an opportunity to provide input into how, where and how much access will be granted.

### ***The Impact***

Inspection teams are guided by the principle of conducting inspections in the least intrusive and disruptive manner possible. The CWC provides all inspected facilities the right to take measures to protect national security information and prevent disclosure of both proprietary information and data not related to chemical weapons. However, without proper planning and preparation, inspections may have a greater impact than necessary on your facility.

For example, inspectors are expected to be objective, professional personnel seeking only to verify declarations and the absence of proscribed activities. Even so, an inspection can

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provide opportunities for intelligence gathering, military or industrial espionage, and access to sensitive and proprietary information. The Department of Defense has developed a program to minimize those opportunities.

The Defense Treaty Inspection Readiness Program (DTIRP) is a Department of Defense program designed to protect national security interests and critical technologies. DTIRP is supported by subject matter experts and security and counterintelligence specialists from the National Security Agency, Central Intelligence Agency, Defense Intelligence Agency, Federal Bureau of Investigation, Defense Investigative Service, Defense Nuclear Agency, Defense Evaluation Support Activity, Defense Information Systems Agency, Arms Control Intelligence Staff, Department of Energy, various Military Services, and other Executive Branch agencies, as well as the On-Site Inspection Agency. These personnel have extensive experience in developing counterintelligence and security countermeasures recommendations to limit the loss of information not related to treaties during arms control inspections of U.S. facilities.

### *Countermeasures*



DTIRP assets may be available to assist in minimizing an inspection's impact on your facility, particularly in identifying and assessing critical technologies, programs and information which could be vulnerable during an inspection. DTIRP assets could also help you develop practical and cost-effective security countermeasures that are tailored to your facility needs.

## SELF-ASSESSMENT

### ***What Could Be Impacted?***

**A**n inspection may prompt a facility to decide to temporarily shutdown or interrupt facility operations. The associated productivity loss could be expensive. Of even greater concern is the inadvertent disclosure of proprietary information and processes. Accordingly, it is very important to identify such concerns before an inspection team arrives at your facility.

### ***What Is Sensitive?***

You should first identify those areas, programs, processes and information which might be adversely affected by an inspection. A careful walkthrough of your entire facility is an important part of this process. CWC inspectors will ask to walk around, through

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and into many areas of your facility during an inspection. Examination of your facility from their perspective will help to ensure that your preparatory efforts are thorough and complete.

Next, you should assess the sensitivity of the various activities, processes, etc., and prepare a list of concerns. A thorough understanding of your facility's sensitivities is essential to determine what needs protection to prevent potentially damaging disclosures during an inspection. You obviously already know of most programs or other company information that you would not want revealed to a potential competitor or a CWC inspector.

The less obvious activities and information must also be identified and assessed. One aid to self-assessment that is often overlooked involves a thorough examination of company newsletters, relevant newspaper articles, or other information in the public domain; awareness of public information will help you to focus your concerns. When information is available in these open sources, it should not be sensitive, and expending resources to protect it would be a wasteful effort. In fact, most CWC



inspectors will already have a great deal of this information prior to arrival at your facility.

***What Must Be Protected?***

In the course of identifying and assessing the sensitivity of areas subject to inspection, you will undoubtedly identify items not related to the CWC that you want to protect. Additionally, government contractors are obligated to protect classified and other “sensitive” national security information related to government contracts. You now must devise a means of protecting all of this information, while still providing sufficient access to an inspection team to demonstrate that you are not engaged in activities prohibited under the CWC.

**AN IMPORTANT  
CONSIDERATION**

***Demonstrating compliance with the CWC is a primary objective of the U.S. Government during an inspection.*** In other words, the U.S. wants to show that there are no prohibited activities taking place. Therefore, each

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facility should be prepared to cooperate as fully as possible with the inspection team, while protecting sensitive information.

As discussed previously, inspector access to specific areas and buildings will be negotiated between U.S. government representatives and the inspection team. It is also likely that discussions *between the facility and the U.S. government representatives* will take place over the amount and type of access and methods of protection. The more prepared a facility is in presenting its concerns, based on its self-assessment, to the U.S. government representatives, the more likely that its views will be accepted and used as the basis of U.S. negotiations with the inspection team.

Both the United States and the facility have an obligation to protect classified, sensitive and proprietary information, but the U.S. also must demonstrate that “nothing prohibited is occurring.” To support this objective, the U.S. has adopted several protective measures that are economical yet effective in both demonstrating compliance with



the Treaty and protecting sensitive information.

## PROTECTIVE MEASURES

### *Route Planning*

Careful inspection route planning is often the easiest and most economical method of protecting sensitive areas. By simply escorting inspectors on a pre-determined route, both between and within buildings, escorts can prevent the team from seeing some classified, sensitive or proprietary activities.

### *Alternatives*

When the facility believes it cannot grant access into a building or area, an alternate means of demonstrating compliance must be suggested for those areas. Examples of such alternate means include showing the inspectors convincing photographs or other documentation related to an inspector's concern, or allowing inspectors to view an area through a window or doorway without entering the structure. In some cases, it may not be prudent to allow an inspector from a particular country to have access to a sensitive room or area. One alternative would be to allow access to

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selected inspectors to demonstrate compliance.

In most areas, either limited or unrestricted access can be permitted if sensitive items or processes are properly protected. Shrouding has been used effectively under other treaties and simply involves partial or complete covering of sensitive items/information to prevent visual observation. The U.S. government has developed a number of shrouding techniques and evaluated various shrouding materials. Shrouding can be an economical protective measure, but its cost-effectiveness depends upon the type of shrouding material required, whether it is reusable, and the extent of shrouding required.

### ***Shrouding***

When applied in an appropriate manner, shrouding can be a relatively effective method of protecting sensitive information. For example, a facility could have a proprietary process that is based upon a special component manufactured by another company. By covering the component, or perhaps only the name of the manufacturer, the facility could protect trade information that it considers sensitive.

In extreme cases where route



planning, alternative means and shrouding cannot be effective, it may be worthwhile to consider temporarily shutting down or moving operations in highly sensitive areas prior to allowing inspector access.

## ADDITIONAL CONSIDERATIONS

Several factors must be considered when determining what type of protective measures should be used at your facility.

### *Resources*

Cost is a major concern. You must consider how much each protective measure, or perhaps combination of measures, will cost in terms of the manpower, time and materials needed to both prepare for an inspection and to resume normal operations. Partial or complete shutdown of facility operations could be even more expensive than the other countermeasures.

### *Time*

Lack of adequate preparation time is another important concern. Inspectors could arrive at your facility within a few days of initial notification. Given this

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short timeframe, it may not be possible to implement all of the countermeasures desired in an effective or timely manner. Time constraints may force you to prioritize your security concerns and concentrate on protecting your most vulnerable areas first.

Effective use of security countermeasures requires considerable forethought; improper use of countermeasures can produce undesired consequences. For example, shrouding of one or two objects in an area where nothing else is shrouded may cause the inspection team to focus attention on those objects. At the other extreme, excessive shrouding or denial of inspector access will signal that sensitive activities are present. The inspection team's heightened concern will slow the inspection process and could impede demonstration of treaty compliance. You must carefully consider the proper mix of countermeasures and degree of application to avoid unintended effects.

### ***Unintended Effects***



## U.S. GOVERNMENT ASSISTANCE

### *Who To Call*

This pamphlet introduces elementary concepts and countermeasures that can be used to manage the impact of a CWC inspection at your facility. Because the task of preparing for arms control inspections requires careful planning and special expertise, the U.S. Government established the Defense Treaty Inspection Readiness Program to assist both the government and contractor community in preparing for possible inspections. DTIRP assets are available to assist your facility in planning and preparing for a CWC inspection.

The On-Site Inspection Agency (OSIA) is DTIRP's Executive Agent, and OSIA's Security Office is the focal point for additional information and specialized assistance. Contact the DTIRP Outreach Program at 1-800-419-2899.

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## **NOTES**



**1-800-419-2899**

**Attn: Security Office (SO)  
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Defense Treaty Inspection Readiness Program